

REMARKS

Claims 1-27 are pending.

Claims 1-10, 12-23, 25-27 stand rejected under 35 USC §102(e) as being allegedly anticipated by *Lapstun* et al. (US Patent Number 6,946,672).

Claims 11 and 24 stand rejected under 35 USC §103(a) as being allegedly unpatentable over *Lapstun* et al. (US Patent Number 6,946,672) in view of *Denny, III* (US Patent Application Publication Number US 2004/0212586 A1).

Changes in the Claims:

Claims 1-27 are cancelled without prejudice. Claims 28-38 have been added in this application to further particularly point out and distinctly claim subject matter regarded as the invention. The amendments are supported by the specification as originally filed. See Figure 4 and Figures 5A-5C. No new matter has been added.

Rejection under 35 USC §102(e)

Claims 1-10, 12-23, 25-27 were rejected under 35 USC §102(e) as being allegedly anticipated by *Lapstun* et al. (US Patent Number 6,946,672). Applicant respectfully submits that the newly added claims 28-38 are not anticipated by *Lapstun* and therefore, are in condition for allowance.

A claim must be anticipated for a proper rejection under §102(a), (b), and (e). This requirement is satisfied “only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference”; see MPEP §2131 and *Verdegaal Bros. V. Union Oil*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1984). A rejection under §102(b) may be overcome by showing that the claims are patentably distinguishable from the prior art; see MPEP §706.02(b).

Lapstun describes a viewer that includes a code sensor that “senses tags” on a page. The viewer then transmits and receives data derived from the sensed tags for display on the viewer. See *Lapstun* Abstract.

Applicant respectfully submits that *Lapstun* does not teach or suggest the element “adjusting information displayed on a display of the computer system, **wherein the information displayed is independent from the surface**” in independent claims 28 and

37. According to *Lapstun*, its sensor works only on substrate having “netpage tags,” which are infrared absorptive tags. See *Lapstun* column 8, lines 44-60. And information derived from these netpage tags are then used to update the device’s display relative to the device’s position on the substrate. (*Lapstun*, column 11, lines 18-33). Therefore, the *Lapstun*’s device display information is directly depended on the surface the device is placed on. Hence, *Lapstun* does not teach or suggest all of the claim limitations of claims 28 and 37.

Further, independent claims 33 and 38 recite: “sensing external pressure on a first section of the computer system toward a second section of the computer system... **the first section of the computer system substantially overlaps the second section of the computer system.**” *Lapstun* does not teach or suggest such claim limitation. Instead, *Lapstun* discloses multiple buttons with specific zooming functions associated to the pressing of these buttons. See *Lapstun* column 11, lines 51-54. Even though *Lapstun*’s mechanical or electronic button could sense external pressure when being pushed, it does not substantially overlap another section of the viewer. Hence, applicant respectfully submits that *Lapstun* does not teach or suggest all of the claim limitations of claims 33 and 38.

The presently claimed invention is, accordingly, distinguishable over the cited reference. In the view of the foregoing, it is respectfully asserted that claims 28, 33, 37 and 38 are now in condition for allowance. Further, claims 29-32 and 34-36 are dependents of the now allowable independent claims 28 and 33, and are now also in condition for allowance. Applicant therefore respectfully submits that the rejection based on the *Lapstun* reference be withdrawn.

Rejection under 35 USC §103(a)

Claims 11 and 24 were rejected under 35 USC §103(a) as being allegedly unpatentable over *Lapstun* et al. (US Patent Number 6,946,672) in view of *Denny, III* (US Patent Application Publication Number US 2004/0212586 A1). Applicant respectfully submits that the newly added claim 31 is patentable over *Lapstun* in view of *Denny*, and is therefore, in condition for allowance.

Under MPEP §706.02(j), in order to establish a prima facie case of obviousness required for a §103 rejection, three basic criteria must be met: (1) there must be some suggestion or motivation either in the references or knowledge generally available to modify the reference or combine reference teachings (MPEP §2143.01), (2) a reasonable expectation of success (MPEP §2143.02), and (3) the prior art must teach or suggest all the claim limitations (MPEP §2143.03). See *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974).

Applicant respectfully submits that the proposed combination of *Lapstun* and *Denny III* does not teach or suggest all of the claim limitations of claim 31. Claim 31 depends upon the independent claim 28, which recites “adjusting information displayed on a display of the computer system, **wherein the information displayed is independent from the surface.**” As discussed above, *Lapstun* does not disclose such limitation.

Denny III discloses a pointing device that is moveable in a holster of a device. Its sensor detects the movement of the pointing device in the holster and outputs a signal to manipulate images on a display. See *Denny III* Abstract.

The Office Action cited *Denny III* for the purpose of “determining a location of a cursor.” See page 10, lines 10-11 of the Office Action. Applicant respectfully submits that *Denny III* does not disclose movement of its pointing device on a surface outside of its device. Therefore, *Denny III* does not disclose “adjusting information displayed on a display of the computer system, **wherein the information displayed is independent from the surface,**” which is one of the elements of claim 31.

Thus, Applicant respectfully submits that claim 31 recites novel subject matter which distinguishes over any possible combination of *Lapstun* and *Denny III*. Applicant therefore submits that the rejection based the *Lapstun* and *Denny III* references be withdrawn.

Conclusion

For all of the above reasons, Applicant respectfully submits that the newly added claims 28-38 all define patentable subject matter over the prior art, and are now in proper form. Therefore, Applicants submit that this application is now in condition for allowance.

Request for allowance

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

Invitation for a Telephone Interview

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Extension of Time

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Thierry K. Lo
Reg. No. 49,097

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300